

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

MAY 09 2003

JAMES W. McCORMACK, CLERK
By: *[Signature]*
DEP. CLERK

C. DUFF NOLAN JR., P.A.,
d/b/a NOLAN LAW FIRM,

Plaintiff,

v.

MONSANTO COMPANY,
ASGROW SEED COMPANY, LLC,
PHARMACIA BIOTECH, INC., and
PHARMACIA COMPANY,

Defendants.

Case No. 5-02-CV-00111

ORDER

In the above-referenced matter, a discovery dispute arose between the parties with respect to Plaintiff C. Duff Nolan, Jr., P.A., d/b/a the Nolan Law Firm's responses to Defendants Monsanto Company, Asgrow Seed Company, LLC and Pharmacia Company (collectively referred to as "Monsanto")'s Second Set of Interrogatories and Third Set of Requests for Production of Documents (collectively referred to as "Discovery Requests"). On May 7, 2003 at 9:00 a.m., the Honorable William R. Wilson, Jr. held a teleconference in which he heard and considered the arguments of both parties. The Court issued the following ruling from the bench:

1. Attorney Patrick R. James, counsel for Plaintiff, will take all necessary steps to obtain C. Duff Nolan's "Bar File" from the Arkansas Supreme Court Committee on Professional Conduct. Mr. James will take all necessary steps to recover the "Bar File" within ten (10) days of the entry of this Order.

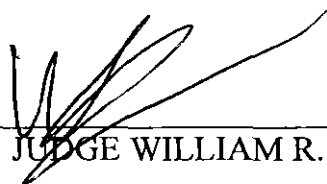
2. Once Plaintiff's "Bar File" is recovered, this file will be submitted to Judge Wilson for an *in-camera* review. Judge Wilson will determine whether there is any information in this file which is discoverable.

3. If the Court determines that there is information in Plaintiff's "Bar File" which is discoverable or relevant to Monsanto's claims or defenses, the Court will so notify the parties and permit the parties a full and complete opportunity to be heard before ordering that any of the information from the Bar File be produced to Monsanto.

4. Mr. James has also agreed to provide Monsanto with verified responses to Monsanto's Second Set of Interrogatories, in accordance with Rule 33(b)(2) of the Federal Rules of Civil Procedure.

Dated: May 9, 2003.

SO ORDERED:



JUDGE WILLIAM R. WILSON, JR.

THIS DOCUMENT ENTERED ON
DOCKET SHEET IN COMPLIANCE
WITH RULE 58 AND/OR 79 OF FRCP
ON 5/12/03 BY [Signature]

UNITED STATES DISTRICT COURT
Eastern District of Arkansas
U.S. Court House
600 West Capitol, Suite 402
Little Rock, Arkansas 72201-3325

May 12, 2003

* * MAILING CERTIFICATE OF CLERK * *

Re: 5:02-cv-00111.

True and correct copies of the attached were mailed by the clerk to the following:

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Attention: John Keeling Baker, Esq.

press

James W. McCormack, Clerk

Date: 5/12/03

BY: 